

FILED

08 AUG 28 AM 10: 25

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

**DEPUTY**

**Title 8, U.S.C., Section 1326;  
Deported Alien Found in the  
United States**

'08 MJ 2648

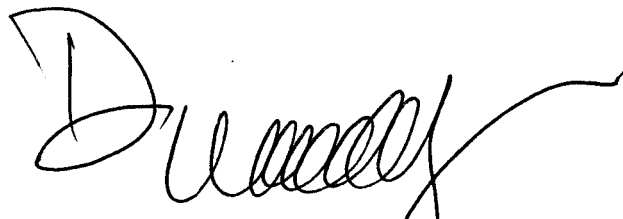
DOA 08/27/08 *gr*

**PROBABLE CAUSE STATEMENT**

On August 24, 2008, the United States Border Patrol apprehended the defendant, Miguel RODRIGUEZ-Garcia, for Illegal Entry into the United States near the Tecate, Port of Entry in San Diego, California. The defendant was subsequently booked into County jail on an outstanding warrant for California Penal Code 273.6(a), "Violate a Court Order to Prevent Domestic Violence". The Border Patrol agent determined the defendant to be a citizen of Mexico and placed a Form I-247 (Immigration Detainer) pending his release from local custody.

On August 27, 2008, the defendant was referred from local custody to the custody of the United States Immigration and Customs Enforcement (ICE) at San Diego, California. Immigration computer database record checks identified the defendant as a national of Mexico having been previously deported from the United States to Mexico. The defendant was most recently ordered deported or removed from the United States by an Immigration Judge on or about April 26, 2006, and removed to Mexico on April 26, 2006, via the San Ysidro, Port of Entry. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System (IDENT) was utilized and compared the defendant's fingerprints to those contained in this database. The results confirmed his identity as Miguel RODRIGUEZ-Garcia, a citizen and national of Mexico



SIGNATURE OF COMPLAINANT  
Immigration Enforcement Agent;  
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 28<sup>th</sup> DAY OF AUGUST 2008.

  
UNITED STATES MAGISTRATE JUDGE